

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

UNITED STATES SECURITIES
AND EXCHANGE COMMISSION,

Plaintiff,

Case No. 1:15-cv-699

Judge Thomas M. Rose

v.

WILLIAM M. APOSTELOS,
OVO WEALTH MANAGEMENT, LLC,
WMA ENTERPRISES, LLC,
MIDWEST GREEN RESOURCES, LLC,

Defendants, and

CONNIE APOSTELOS,
APOSTELOS ENTERPRISES, INC.,
COLEMAN CAPITAL, INC.,
SILVER BRIDLE RACING, LLC,

Relief Defendants.

**ENTRY AND ORDER GRANTING THE UNITED STATES' MOTION FOR
LEAVE TO INTERVENE AND FOR STAY OF DISCOVERY PENDING
RESOLUTION OF PARALLEL CRIMINAL PROCEEDINGS (DOC. 20)**

This case is before the Court on the Motion For Leave To Intervene And For Stay Of Discovery Pending Resolution Of Parallel Criminal Proceedings (“Motion to Intervene and for Stay”) (Doc. 20) filed by the United States of America (“United States”). By the Motion to Intervene and for Stay, the United States seeks to intervene in this case under Federal Rule of Civil Procedure 24 for the limited purpose of moving to stay discovery pending resolution of the parallel criminal case before this Court, *United States v. William M. Apostelos & Connie Apostelos*, 3:15-cr-148, which addresses the same alleged misconduct at issue in this case.

Plaintiff the United States Securities and Exchange Commission (“SEC”) does not oppose

intervention by the United States or the request for a stay of discovery. (Doc. 21.) The SEC provided notice, however, that it intends “to continue its ongoing investigation into potential violations of the federal securities laws by other persons not named in the current complaint.” (*Id.* at 1.) Individual Defendants William Apostelos and Connie Apostelos each filed, *pro se*, a “Motion To Join,” which requests permission to join in the United States’ Motion to Intervene and for Stay. (Docs. 23, 24.) The Court construes the Motions to Join as statements of non-opposition. Defendants OVO Wealth Management, LLC, WMA Enterprises, LLC, Midwest Green Resources, LLC, Apostelos Enterprises, Inc., Coleman Capital, Inc., and Silver Bridle Racing, LLC did not file any response to the Motion to Intervene and for Stay, and the time to do so has expired. This matter is therefore ripe for the Court’s review.

Upon review, the United States meets the requirements to intervene under Federal Rule of Civil Procedure 24(a)(2) for the limited purpose of moving for a stay. In addition, the proceedings in this case should be stayed pending resolution of the criminal case, *United States v. William M. Apostelos & Connie Apostelos*, 3:15-cr-148, for the reasons stated in the United States’ supporting memorandum. (Doc. 20 at 7-14.)

WHEREFORE, the Court **GRANTS** the United States’ Motion to Intervene and for Stay (Doc. 20). This case is hereby **STAYED** until resolution of the criminal case, *United States v. William M. Apostelos & Connie Apostelos*, 3:15-cr-148. The United States is **ORDERED** to file a notice on the docket of this case upon resolution of the criminal case.

DONE and **ORDERED** in Dayton, Ohio, this Thursday, February 18, 2016.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE